

United States District Court

WESTERN DISTRICT OF WASHINGTON

DARRYL ALLEN BURGESS

JUDGMENT IN A CIVIL CASE

v.

UNITED STATES OF AMERICA

CASE NUMBER: C06-5647FDB

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Petitioner's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, filed October 19, 2006, is **DENIED**. Petitioner's "Challenge to the In Personam Jurisdiction by Defendant Citizen, Darryl Allen Burgess" is both time barred and without merit, and the action dismissed with prejudice.

The request for certificate of appealability is **DENIED**.

November 27, 2006
Date

BRUCE RIFKIN
Clerk

s/CM Gonzalez
Deputy Clerk